

**TWENTY-FOURTH DAY**  
(Wednesday, February 21, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: Mengden and Schwartz.

A quorum was announced present.

The Reverend C. Ray Burchette, Jr., Highland Park Baptist Church, Austin, Texas, offered the invocation as follows:

Eternal God--

We believe that government is ordained of Thee for the good of all Thy children. We ask Thy blessing to rest upon these who bear the responsibility of governing. As we look around this chamber, we are reminded of the extent of their responsibility. The galleries call to mind the men and women of this state who are subject to what is done here; the pictures on these walls recall our heritage and men who have shouldered great responsibility before us; looking at each one of these members, we remember their responsibility to one another; these flags remind us of responsibility to both state and nation, and this prayer speaks to us of our ultimate responsibility to Thee. Give to these, who serve Thee by serving others, a new sense of responsibility before Thee so that, being true to Thee, they can be false to no man. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Mengden was granted leave of absence for today on account of illness on motion of Senator Harris.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Aikin.

**REPORTS OF STANDING COMMITTEES**

Senator Mauzy submitted the following reports for the Committee on Education:

Nomination of V. F. (Doc) Neuhaus to be a Member of the Board of Regents of North Texas State University.

S.B. 218

C.S.S.B. 106 (Read first time)

Senator Aikin submitted the following reports for the Committee on Finance:

S.B. 224

S.B. 223

Senator Herring submitted the following reports for the Committee on Jurisprudence:

S.C.R. 26

S.C.R. 37

### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, February 21, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 89, A bill to be entitled An Act amending subsections (a), (b) and (c) of Section 3.59 of the Texas Education Code; relating to composition, appointment and terms of the State Board of Trustees of the Teacher-Retirement System, providing this Act to be severable; and declaring an emergency.

H.B. 96, A bill to be entitled An Act relating to certain tax exemptions for volunteer fire departments; amending Article 7150, Revised Civil Statutes of Texas, 1925; as amended, by adding a Section 28; amending Article 20.04, Title 122A, Taxation - General Revised Civil Statutes of Texas, 1925; as amended, by adding a Section (AA); and declaring an emergency.

H.B. 106, A bill to be entitled An Act permitting right turns on red traffic signals under certain circumstances; amending Section 33, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

H.B. 147, A bill to be entitled An Act authorizing and providing for supplemental aid programs for adult education where provided by public educational agencies toward the education and training of certain persons not having a high school education or the educational prerequisites for developing a salable skill; providing for the financing thereof in part from state funds; providing that the Central Education Agency shall develop programs, rules, and regulations for the implementation of this Act; amending Subchapter A, Chapter 11, Texas Education Code, by adding Section 11.18; amending Section 21.902, Texas Education Code; and declaring an emergency.

H.B. 181, A bill to be entitled An Act relating to the towing of vehicles by certain motor vehicles; amending Subsection (c) of, and adding Subsection (c-1) to Section 3, Chapter 42, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 827a, Vernon's Texas Penal Code); and declaring an emergency.

H.B. 270, A bill to be entitled An Act changing the name of the Matagorda County Navigation District No. 2; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

**SENATE BILLS ON FIRST READING**

The following bills were introduced, read first time and referred to the Committee indicated:

By Senators Schwartz, Harrington and Mauzy:

S.B. 329, A bill to be entitled An Act amending Section 4, Chapter 45, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 5159a, Vernon's Texas Civil Statutes); relating to the general prevailing rate of per diem wages including fringe benefits; providing for posting of bond by contractors; and providing certain duties of the attorney general for protection of aggrieved persons and in carrying out this Act; and declaring an emergency.

To Committee on Human Resources.

By Senator Herring:

S.B. 332, A bill to be entitled An Act relating to the severability of statutes; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Ogg:

S.B. 333, A bill to be entitled An Act relating to the ineligibility of certain persons who are operators or employees of convalescent or nursing homes to act under authority of a power of attorney, or serve as agent or attorney in fact or personal representative of a person who resides or resided in the convalescent or nursing home; amending Section 110, Texas Probate Code; and declaring an emergency.

To Committee on Human Resources.

By Senator Hightower:

S.B. 334, A bill to be entitled An Act relating to the minimum age for employment as a parole officer or supervisor; amending Section 28, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on State Affairs.

By Senator Hightower:

S.B. 335, A bill to be entitled An Act relating to the time limit for a parole revocation hearing; amending Section 22, Article 42.12, Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on Jurisprudence.

**PRIVILEGES OF FLOOR GRANTED  
TO FORMER SENATOR JOE CHRISTIE**

On motion of Senator Aikin and by unanimous consent, former Senator Joe Christie was granted privileges of the floor for today.

**MESSAGES FROM THE GOVERNOR**

The following messages from the Governor were read and referred to the Committee indicated:

Austin, Texas  
February 21, 1973

**TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a Member of the Board of Regents of East Texas State University: For a six-year term to expire February 15, 1979: Mr. William Garland Button of Dallas, Dallas County, for reappointment; Mr. Cam F. Dowell, Jr., of Dallas, Dallas County, for reappointment; Mr. G. C. Morris of Austin, Travis County, to replace Mr. Joel Thomas Williams, Jr., of Dallas, Dallas County, whose term has expired.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

To Committee on Education.

Austin, Texas  
February 21, 1973

**TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a Member and Chairman of the State Board of Insurance: For a six-year term to expire January 31, 1975, and to be effective immediately: The Honorable Joe Christie of El Paso, El Paso County, to replace Mr. Ray Kirkpatrick, of Austin, Travis County, whose term is unexpired.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

To Committee on Economic Development.

The following message from the Governor was read and filed with the Secretary of the Senate:

Austin, Texas  
February 21, 1973

**TO THE MEMBERS OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:**

Pursuant to the provisions of Section 5 of Article III of the Constitution of the State of Texas, I herewith submit as an emergency matter the following:

An Appropriation from the General Revenue Fund of the State Treasury to Texas Southern University in an amount deemed sufficient by the Legislature for repair of damage by fire to the Pharmacy Building for replacement of supplies, equipment, and facilities destroyed or damaged by the fires, and for appraisal fees.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

**BILL AND RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

**H.C.R. 35****NOTICE OF EXECUTIVE SESSION**

Senator McKinnon gave notice that he would move for an Executive Session of the Senate at 11:45 o'clock a.m. tomorrow.

**HOUSE BILLS ON FIRST READING**

The following bills received from the House, were read first time and referred to the Committee indicated:

H.B. 89, To Committee on Education  
H.B. 270, To Committee on Natural Resources.  
H.B. 96, To Committee on State Affairs.  
H.B. 106, To Committee on Intergovernmental Relations.  
H.B. 147, To Committee on Education.  
H.B. 181, To Committee on Economic Development.

**SENATE CONCURRENT RESOLUTION 20 RECOMMITTED**

On motion of Senator Hightower and by unanimous consent, S.C.R. 20 was recommitted to the Committee on Administration.

**COMMITTEE APPOINTED**

In accordance with the provisions of H.C.R. 33, the President announced the appointment of the following Committee to escort George Foreman to the Joint Session: Senators Gammage, Ogg, Brooks, Wallace and Santiesteban.

**MOTION TO ADJOURN**

Senator Aikin moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow, subject to Joint Session.

**JOINT SESSION**

(To hear address of George Foreman, World's Heavyweight Champion)

The President announced the time had arrived to hear an address by George Foreman pursuant to the Provisions of H.C.R. 33.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Rostrum.

Mr. Foreman was escorted to the Speaker's Rostrum by Senators Gammage, Wallace, Brooks, Ogg and Santiesteban on the part of the Senate, and Representatives Blythe, A. Hall, Hudson, Johnson, Ragsdale, Reyes, Sutton, Thompson, Washington and Williamson on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

Honorable Price Daniel, Jr., Speaker of the House of Representatives, called the House to order and announced a quorum of the House present and stated the purpose of the Joint Session.

The Speaker of the House presented The Honorable Mickey Leland, who introduced George Foreman, who addressed the Joint Session.

The Speaker of the House presented The Honorable William P. Hobby, who addressed the Joint Session.

The Speaker then presented The Honorable Dolph Briscoe, who addressed the Joint Session.

The Speaker then introduced The Honorable Berl L. Handcox, who presented Mr. Foreman a certificate proclaiming today "George Foreman Day" in the City of Austin.

### MEMORIAL RESOLUTIONS

S.R. 166 - By Senator Snelson: Memorial resolution for Mrs. Eva R. Warnock.

S.R. 167 - By Senator Snelson: Memorial resolution for David Leonard Monroe.

S.R. 168 - By Senator Snelson: Memorial resolution for William Wallace Watkins.

S.R. 169 - By Senator Snelson: Memorial resolution for D. K. Glenn.

### WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 162 - By Senator Ogg: Extending welcome to Duchesne Academy Houston Students.

S.R. 163 - By Senator Herring: Extending congratulations to Dr. J. B. Copeland.

S.R. 164 - By Senator Clower: Extending welcome to Gene Clower.

S.R. 165 - By Senator Aikin: Extending welcome to Judge J. R. Hubbard.

### ADJOURNMENT

The President announced that the purpose of the Joint Session having been concluded, the Senate at 11:26 o'clock a.m. would stand adjourned until 10:30 o'clock a.m. tomorrow on motion previously adopted by the Senate.

### TWENTY-FIFTH DAY (Thursday, February 22, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was